

REMARKS/ARGUMENTS

Upon entry of this Amendment, which amends claims 1, 8, 20 and 28, claims 1-35 remain pending. In the Office Action, claims 1, 3-13 and 15-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bowman-Amuah (U.S. Patent No. 6,611,867, hereinafter "Bowman") in view of Rakoshitz (U.S. Patent No. 6,578,077, hereinafter "Rakoshitz"); in claims 2 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bowman in view of Rakoshitz and further in view of Wetzel (U.S. Patent No. 6,388,990, hereinafter "Wetzel"). Applicants respectfully request reconsideration in the claims in view of the amendments above and remarks below.

Examiner Interview

Applicants thank the Examiner for the courtesy of the interview conducted on October 6, 2005. During the interview, Applicants discussed amended claims and the cited references. Specifically, the cited references not disclosing differences between physical network elements of the real-time updated physical network inventory and logical network elements of the real-time updated logical network inventory with physical or logical network elements of the planned network inventory was discussed.

Claims 1-7

Claim 1 was rejected under 35 U.S.C. § (103a) as being unpatentable over Bowman in view of Rakoshitz. Applicants submit that Bowman and Rakoshitz, either alone or in combination, do not disclose or suggest every element of claim, as amended. For example, claim 1 recites:

synchronizing the physical network inventory, logical network inventory, and planned network inventory in the network element inventory to determine any differences between the real-time updated physical network inventory and the real-time updated logical network inventory with the planned network inventory;

receiving a request for a view of the network element inventory; and

determining the view based on at least one of the synchronized physical network inventory, the synchronized logical network inventory, and planned network inventory, wherein the view is determined based on if any differences between physical network elements of the real-time updated physical network inventory and logical network elements of the real-time updated logical network inventory with physical or logical network elements of the planned"

Bowman discusses a network planning process. *See Bowman*, col. 70, lines 16-18. Rakoshitz discloses monitoring bandwidth for QoS purposes. *See Rakoshitz*, col. 9, lines 49-61.

Applicant submit that Bowman and Rakoshitz, either alone or in combination, do not disclose or suggest physical network elements or logical network elements change over a time period where the physical network inventory and logical network inventory is continually self discovered over the time period to update it in real-time. Further, Bowman and Rakoshitz, either alone or in combination, do not disclose or suggest synchronizing the physical network inventory, logical network inventory and planned inventory where a view is determined based on any differences between physical network elements of the real-time updated physical network inventory and logical network elements of the real-time updated logical inventory with physical or logical network elements of the planned network inventory. Rather, Bowman discusses planning a network and Rakoshitz discusses monitoring bandwidth. Nowhere in Bowman or Rakoshitz is it disclosed or suggested that physical network elements or logical network elements are self discovered in real-time and any differences between the self discovered inventories are determined with more physical or logical network elements of the planned network inventory.

Accordingly, Applicants respectfully request withdrawal of the rejection of claim 1. Claims 2-7 depend from claim 1 and thus, derive patentability at least therefrom.
Accordingly, Applicants respectfully request withdrawal of the rejections of claims 1-7.

Appl. No. 09/921,282
Amdt. dated October 11, 2005
Amendment with RCE

PATENT

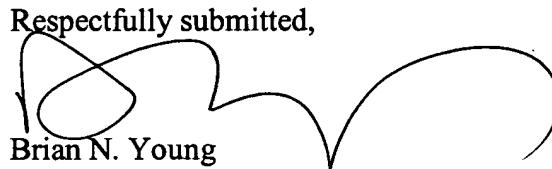
Applicants submit that claims 8, 20 and 28 should be allowable for at least or some rationale as discussed with respect to claim 1. Claims 9-19 depend from claim 8; claims 21-27 depend from claim 20; and claims 29-35 depend from claim 28 and thus derive patentability at least therefrom. Accordingly, Applicants respectfully request withdrawal of the rejections..

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Dated: 10/12/05

Respectfully submitted,

Brian N. Young
Reg. No. 48,602

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
BNY:dk
60562289 v1